

- ☐ Original Application  
☐ PCT National Application  
U.S. Designated Office  
☒ Continuation or Divisional Application  
☐ Continuation-in-Part Application

**COMBINED DECLARATION,  
POWER OF ATTORNEY AND PETITION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled GENETIC ENGINEERING OF PLANT CHLOROPLAST, which is described in the specification and claims

☒ attached hereto.

☐ filed on

Application Serial No.

and was amended on

*(if applicable)*

☐ which is described in International Application No.

filed \_\_\_\_\_ and as amended on

\_\_\_\_\_ (if any),

which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION  
(Page 2)

Attorney Docket No. 3006285-0001

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International Application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate or of any PCT International Application having a filing date before that of the application on which priority is claimed:

Number	Country	Date of Filing (day,month,year)	Priority Claimed
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no

I hereby claim the benefit under Title 35, United States Code, §119(e) or §120 (as applicable) of any United States application(s) or §365(c) of any PCT International Application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International Application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112:

08/972,901  
(Application Serial No.)

11/18/97  
(Filing Date)

pending  
(Status)(patented,pending,abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)(patented,pending,abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the registered attorneys listed under Customer No. 022469 and the following registered attorneys to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

Joan T. Kluger Reg. No. 38,940  
James A. Drobile Reg. No. 19,690  
Jeffrey L. Eichen Reg. No. 41,496  
Robert A. McKinley Reg. No. 43,793  
Gerard J. Weiser Reg. No. 19,763

Stewart M. Wiener Reg. No. 46,201  
Austin R. Miller Reg. No. 16,602  
Stephenie W. Yeung Reg. No. 48,052  
Kenneth R. DeRosa Reg. No. 39,549

SEND CORRESPONDENCE TO:  
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ATTORNEY OF RECORD AT:  
(215) 751-2811

**COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION**  
(Page 3)

Attorney Docket No.: 3006285-0001

I hereby petition for grant of a United States Letters Patent on this invention.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1. FULL NAME OF SOLE OR FIRST INVENTOR Henry Daniell		INVENTOR'S SIGNATURE	DATE
RESIDENCE Casselberry, Florida		CITIZENSHIP United States	
POST OFFICE ADDRESS 1255 Marina Point #315, Casselberry, Florida 32707			
2. FULL NAME OF JOINT INVENTOR, IF ANY Bruce A. McFadden		INVENTOR'S SIGNATURE <i>Bruce A. McFadden</i>	DATE 11/07/03
RESIDENCE Pullman, Washington		CITIZENSHIP United States	
POST OFFICE ADDRESS SW 1465 Wadleigh, Pullman, Washington 99163			
3. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
4. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
5. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
6. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
7. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE

## ASSIGNMENT OF INTELLECTUAL PROPERTY RIGHTS

The Idaho Research Foundation, Inc., a not-for-profit corporation duly organized and existing under the laws of the State of Idaho and having its principal office at 121 Sweet Avenue, Moscow, Idaho, 83843, U.S.A., hereby assigns, transfers and conveys, absolutely and forever, to Auburn University its successors and assigns, all of its right, title and interest in and to the invention(s) known as "GENETIC ENGINEERING OF PLANT CHLOROPLASTS" made jointly by Henry Daniell and Bruce McFadden. Such assignment, transfer and conveyance includes all Intellectual Property Rights related thereto, which shall mean and include each of the following:

All rights, title and interests in all Letters Patent and applications for Letters Patent, Industrial Models, Industrial Designs, Petty Patents, Patents of Importation, Utility Models, Certificates of Invention, and other indicia of invention ownership including any reissue, division, continuation or continuation-in-part applications throughout the world now or hereafter filed.

It is specifically intended that the assignment, transfer and conveyance effected by this Assignment be, and they hereby are declared to be, full complete and absolute on the effective date hereof. If any other assignment, deed, certificate or other instrument, or any filing, recordation or other act, is necessary in order to effect the assignment of the Intellectual Property Rights, all such documents and acts shall be deemed supplemental documents and acts which in no way prevent the assignment, transfer and conveyance effected by this Assignment from being full, complete and absolute on the date hereof. The undersigned hereby agrees to execute any such necessary additional documents and to take any such necessary additional acts.

IN WITNESS WHEREOF, this Assignment of Intellectual Property Rights is executed this 1st day of April, 1996, at Moscow, Latah County, Idaho.

STATE OF IDAHO       )  
                              )  
COUNTY OF LATAH    )

ss.

By: Laurence C Bonar  
(Signature)  
Name: Laurence C. Bonar  
Title: Director of Technology Licensing

This 14 day of May, 1996, before me personally came the above-named LAURENCE C. BONAR, who executed the foregoing instrument in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.

Alison Nowakowski

Notary Public for Idaho  
My commission expires 12/20/01

### Addendum

The foregoing Assignment applies to U.S. Patent Application Serial No. 07/249,616, filed September 26, 1988; to U.S. Patent Application Serial No. 07/638,565, filed January 7, 1991 as a continuation-in-part of Application Serial No. 07/249,616; to U.S. Patent Application Serial No. 07/985,451, filed December 3, 1992 as a continuation of Application Serial No. 07/638,565; and to U.S. Patent Application Serial No. 08/278,555, filed July 20, 1994 as a continuation of Application Serial No. 07/985,451; in addition to U.S. Patent Application Serial No. 08/215,020, filed March 18, 1994 as a continuation of Application Serial No. 07/249,616; and U.S. Patent Application Serial No. 08/591,407, filed January 25, 1996, as a continuation of Application Serial No. 08/215,020; each of the foregoing applications having the title GENETIC ENGINEERING OF PLANT CHLOROPLASTS.

By: Laurence C. Bonar  
Laurence C. Bonar  
Director of Technology Licensing

STATE OF IDAHO) ) ss.  
County of Latah )

BEFORE ME, this 6th day of June, 1996, Alison Nowakowski, a notary public, personally appeared Laurence C. Bonar, personally known to me to be the person whose name is subscribed to the above instrument, and acknowledged to me that he executed same.

SEAL

Alison Nowakowski  
Alison Nowakowski  
Notary Public  
My Commission Expires: 12/20/01